[31st January 1929

Civil Justice

Appointment of legal practitioners for representing the Public Prosecutor in the High Court.

* 1233-A *Q.*—Mr. ABDUL HAMID KHAN: Will the hon. the Law Member be pleased to state—

(*a*) whether in several criminal cases in the High Court the Public Prosecutor is represented by other legal practitioners;

(*b*) what is the standing and experience of persons who are so deputed to represent him;

(*c*) whether the sanction of Government is obtained for such substitution; and

(*d*) whether any and if so what principles are followed in making such appointments?

A.—(*a*) Yes.

(*b*) Two are of 12 years' standing, one of 9 years and two of 6 and 3 years' standing, respectively.

(*c*) & (*d*) To ensure that cases are handled efficiently the Government have directed that there should be a panel of recognized persons from among whom the Public Prosecutor should select persons for the conduct of cases to which he cannot attend personally and that the work should be distributed more or less evenly among the juniors. The Public Prosecutor, Madras, sends from time to time a list of such juniors to Government for approval.

Mr. ABDUL HAMID KHAN:—"Sir, May I know whether it is a fact that the Manager makes his own preferences in granting adjournments in criminal cases?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"It is not a fact, Sir."

Mr. ABDUL HAMID KHAN:—"May I ask the hon. Member whether it is not a fact that there is a good deal of discontent among the practitioners?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"It is not a fact, Sir. But I do not see anything about the Manager in this question."

Mr. P. BHAKTAVATSULU NAYUDU:—"Was it the practice in the time of the previous Public Prosecutors also for them to be represented by other legal practitioners?"

The hon. Diwan Bahadur M. KRISHNAN NAYAR:—"Yes."

Alleged practice of substitutes for the Public Prosecutor appearing against Government in some cases.

* 1233-B *Q.*—Mr. ABDUL HAMID KHAN: Will the hon. the Law Member be pleased to state—

(*a*) whether it is a fact that the substitutes chosen to represent the Public Prosecutor sometimes appear against the Government in other criminal cases on the same day before the same Judge or Bench of Judges;